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Via ECF

August 15, 2018

Honorable Edgardo Ramos
Thurgood Marshall U.S. Courthouse
40 Foley Square, Courtroom 619
New York, New York 10007

Re.: Figueroa v. 155 East 33rd Street Family Limited Partnership, et al
Case No.: 18 CV 02621

Dear Judge Ramos:

I am the attorney for Mathias Peter s/h/a Peter Mathias and LTF2 LLC, and I write this letter in response to the letter of plaintiff's counsel dated August 14, 2018.

Firstly, a phone call was never received from plaintiff's counsel on August 6 at my office or on my cell phone. Although I did receive an email from plaintiff's counsel on August 13, I promptly responded advising counsel that I was out of the country on vacation, and not due to return until August 27. I, therefore, requested an extension of time to respond to plaintiff's demands to September 4, which plaintiff's counsel refused to give. The defendants herein are not seeking to delay this case in any way. As I explained to plaintiff's counsel, I was on trial up until my departure for vacation, and unable to complete the discovery responses prior to leaving.

It seems that plaintiff's counsel prefers needless motion practice as opposed to extending basic courtesies typically exchanged among attorneys. When I was first retained by the aforementioned defendants, I immediately contacted plaintiff's counsel, and asked if he would accept our answer. Counsel refused, thereby requiring me to make a motion to set aside the certificates of default, and to compel acceptance of the answer. Only *after* the motion was made and filed, did plaintiff's counsel call my office and state that he would now accept the answer.

I am respectfully requesting an extension to respond to plaintiff's demands to September 4, 2018. I further respectfully request, pursuant to Civil Rule 83.9, that this case be assigned to a Mediator for possible resolution.

Thank you.

Very truly yours,

Kathleen E. Negri Stathopoulos, Esq.